

REMARKS

Claims 1-16 are currently pending, with claims 1, 11, 13 and 15 being the independent claims. Claims 1-16 have been amended. Claims 17 and 18 have been canceled without prejudice. No new matter has been added. Reconsideration of the application, as amended, is respectfully requested.

Responsive to the Office Action dated September 7, 2005, Applicant elects the claims of Group I (Claims 1-10, 13 and 14), WITH TRAVERSE, for further prosecution in the above captioned application.

The restriction requirement is traversed for the reasons following. *In order for a restriction requirement to be proper, 35 U.S.C. §121 requires that two or more independent AND distinct inventions be claimed in a single application. Thus, more is necessary to support a restriction requirement than a showing that two or more disclosed subjects are patentable over each other (distinctness).*

In the present application, independent claim 1 and 13 are directed to a method and receiver for checking data in communication between a transmitting device and the receiver, wherein a first reference value is calculated at least partly based on a first error check value which is calculated from the data and a first authentication value for the data, and the first reference value is transmitted from the transmitting device to the receiver.

On the other hand, independent claim 11 is directed to a transmitter which combines the authentication value and the error check value with a logical function for producing the first reference value. Claim 15 is a mobile station that is equipped with both the receiver and transmitter in order to perform two-directional communication.

The Office Action (pg. 2, ¶ 2) states:

The inventions listed as Group 1-3 do not relate to a single inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group 1 lacks the concept of deriving an authentication value, as well as lacking the transceiver and station of groups 2 and 3. Groups 2 lack the checking of group 1, and the receiver and second reference value of group 3. Groups 3, 2 and 1 lack subject matter common to all claims. The method of claims 1-10 has been linked to claims 13 and 14. Claims 11, 13, and 15, lack a

single inventive concept. Instead claims 11 and 13 seem to be claiming 2 separate inventions, and 15 is a combination of the two.

With respect to the basis for entering the restriction requirement, the following is noted. The present invention is premised on the idea that in the case where a combination of a CRC value, i.e. an “error check value” and a message authentication code (MAC) value, i.e., an “authentication value” is used, the CRC value and MAC value are not transmitted individually but together in a combined state via a function such as a logical XOR function.

The transmitter of claim 11 combines the CRC and MAC values and transmits the combination. The receiver of claim 13 receives the combination and is capable of deriving the CRC and MAC values from the combination, or the receiver at least performs the CRC-based and MAC-based operations utilizing the combination. In principle, it would be possible for the transmitter to also transmit the combination to other kinds of receivers. However, without the required capability, these receivers will not understand how to handle the combination and consequently cannot receive the transmission properly.

Similarly, the receiver of claim 13 could also receive transmissions from other kinds of transmitters, but since these transmissions would not include the combination of CRC and MAC values but something else, the receiver would not locate the appropriate data in the transmission and thus, the reception would again fail.

Accordingly, transmitting a combination of CRC and MAC values instead of transmitting these values separately can only succeed if the communicating parties are a transmitter according to claim 11 and a receiver according to claim 13, or if an apparatus equipped for two-directional communication was equipped with both the receiver and transmitter as recited in claim 15. Consequently, all of the above-mentioned devices apply the method of claim 1.

Independent claim 1 and the transmitter (i.e., independent claim 11), the receiver (i.e., independent claim 13) and the mobile station (i.e., independent claim 15) all share the inventive feature of equipping the transmitted data with a combination of an error check value and an authentication value at the transmitting end, and the feature of using the combination to check the data at the receiving end. Therefore, the amended claims each contain common subject matter. It is accordingly requested that the restriction requirement with respect to independent claims 1, 11, 13 and 15, and dependent claims 2-10, 12, 14 and 16 be withdrawn, because the subject matter of these claims are not independent as required by 35 U.S.C. §121. If any

restriction requirement is maintained, it is requested that such requirement be fully supported in accordance with MPEP Chapter 8.

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